

Abraham Lincoln National Heritage Area

- Enabling Legislation:
http://www.lookingforlincoln.com/doc/public_law_110-229.pdf
 - **SEC. 446. LOCAL COORDINATING ENTITY.**
(c) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—The local coordinating entity may not use Federal funds authorized under this subtitle to acquire any interest in real property.
 - **SEC. 448. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.**
Nothing in this subtitle—
 - (1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;
 - (2) requires any property owner to permit public access (including access by Federal, State, Tribal, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, Tribal, or local law;
 - (3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency, or conveys any land use or other regulatory authority to any local coordinating entity, including but not necessarily limited to development and management of energy, water, or water-related infrastructure;
 - (4) authorizes or implies the reservation or appropriation of water or water rights;
 - (5) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the National Heritage Area; or
 - (6) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

America's Agricultural Heritage Partnership (Silos and Smokestacks)

- Enabling Legislation:
<http://bulk.resource.org/gpo.gov/laws/104/publ333.104.pdf>
 - **SEC. 706. LAND USE REGULATION AND PRIVATE PROPERTY PROTECTION.**
 - (a) REGULATION.—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of Federal, State, and local governments to regulate any use of privately owned land provided by law or regulation.
 - (b) LAND USE.—Nothing in this title shall be construed to grant the powers of zoning, land use, or condemnation to the Partnership Management Entity, the Secretary or any other Federal, State, or local government entity.

Augusta Canal National Heritage Area

- Enabling Legislation:
<http://bulk.resource.org/gpo.gov/laws/104/publ333.104.pdf>
 - **SEC. 307. ACQUISITION OF REAL PROPERTY.**
The Augusta Canal Authority may not use any Federal funds that it may receive pursuant to this title to acquire real property or an interest in real property.
 - **SEC. 309. LAND USE REGULATION.**
Nothing in this title shall be construed to— modify, enlarge, or diminish any authority of Federal, State, and local governments to regulate any use of land as provided for by law or regulation; or grant powers of zoning or land use to the Augusta Canal Authority.

Essex National Heritage Area

- Enabling Legislation:
<http://bulk.resource.org/gpo.gov/laws/104/publ333.104.pdf>
 - **SEC. 506. PRIVATE PROPERTY.**
No privately owned property shall be included within the boundaries of the Area unless the government of the county, city, or town in which the property is located agrees to be so included and submits notification of such agreement to the Secretary.

Mississippi Gulf Coast National Heritage Area

- Enabling Legislation:
<http://msgulfcoastheritage.ms.gov/downloads/final-MGCNHAMP.pdf>
 - **SEC. 708. EFFECT OF ACT.**
Nothing in this Act--
 - (1) affects or authorizes the coordinating entity to interfere with--
 - (A) the right of any person with respect to private property; or
 - (B) any local zoning ordinance or land use plan;
 - (2) restricts an Indian tribe from protecting cultural or religious sites on tribal land;
 - (3) modifies, enlarges, or diminishes the authority of any State, tribal, or local government to regulate any use of land under any other law (including regulations);
 - (4)(A) modifies, enlarges, or diminishes the authority of the State to manage fish and wildlife in the Heritage Area, including the regulation of fishing and hunting; or
 - (B) authorizes the coordinating entity to assume any management authorities over such lands; or

Excerpts from samples of NHA enabling legislation relevant to property rights

(5) diminishes the trust responsibilities or government-to-government obligations of the United States to any federally recognized Indian tribe.

Ohio & Erie Canal National Heritage Corridor

- Enabling Legislation:
<http://bulk.resource.org/gpo.gov/laws/104/publ333.104.pdf>
 - **SEC. 807. MANAGEMENT ENTITY.**
(e) PROHIBITION OF ACQUISITION OF REAL PROPERTY.—The management entity for the corridor may not use Federal funds received under this title to acquire real property or any interest in real property.
 - **SEC. 810. LACK OF EFFECT ON LAND USE REGULATION AND PRIVATE PROPERTY.**
(a) LACK OF EFFECT ON AUTHORITY OF GOVERNMENTS.—Nothing in this title shall be construed to modify, enlarge, or diminish PUBLIC LAW 104–333—NOV. 12, 1996 110 STAT. 4275 any authority of Federal, State, or local governments to regulate any use of land as provided for by law or regulation.
(b) LACK OF ZONING OR LAND USE POWERS.—Nothing in this title shall be construed to grant powers of zoning or land use control to the Committee or management entity of the corridor.
(c) LOCAL AUTHORITY AND PRIVATE PROPERTY NOT AFFECTED.—Nothing in this title shall be construed to affect or to authorize the Committee to interfere with—
 - (1) the rights of any person with respect to private property; or
 - (2) any local zoning ordinance or land use plan of the State of Ohio or a political subdivision thereof.

Steel Industry Heritage Project

- Enabling Legislation:
<http://bulk.resource.org/gpo.gov/laws/104/publ333.104.pdf>
 - **SEC. 406. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.**
(c) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—
 - The management entity may not use Federal funds received under this title to acquire real property or an interest in real property. Nothing in this title shall preclude any management entity from using Federal funds from other sources for their permitted purposes.